

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:19-cv-00018-RJC  
(3:14-cr-00017-RJC-DCK-6)

KEVIN SMITH,	)	
	)	
Petitioner,	)	
	)	
vs.	)	ORDER
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	

---

**THIS MATTER** is before the Court on Petitioner's Request for Clarification as to Time to Respond to Government's Response to Petitioner's Motion to Vacate, Set Aside, or Correct Sentence. [Doc. 6]. Also pending before the Court is Petitioner's Motion Requesting Status as to 60-Day Order of January 16, 2019. [Doc. 4].

On April 10, 2019, the Government filed its Response in Opposition to Petitioner's § 2255 Motion. [Doc. 5]. In response, in a filing dated April 23, 2019, the Petitioner moves the Court for "a period of 120 days" to allow Petitioner sufficient time to prepare a reply. [Doc. 6]. The Court will grant Petitioner's motion in part and will give Petitioner 60 days from the date this Order to submit a reply.

Also, before the Court is Petitioner's request for a status update [Doc. 4] in which he inquired when he could expect to receive the Government's Response to his § 2255 Motion. The Court will deny this request as moot given that the Government has filed, and the Petitioner has received the Government's Response.

**IT IS THEREFORE ORDERED THAT:**

- (1) Petitioner's motion for an extension of time [Doc. 6] is **GRANTED** and the Petitioner

shall have sixty (60) days from the date of this Order in which to file a Reply to the Government's Response in Opposition to Motion under 28 U.S.C. § 2255.

(2) Petitioner's Motion to Requesting Status as to 60-Day Order [Doc. 4] is **DENIED** as moot.

**IT IS SO ORDERED.**

Signed: May 22, 2019



Robert J. Conrad, Jr.  
United States District Judge

